



Chapter 23. Standards for Universal Waste Management

Article 1. General

§66273.1. Scope.

- (a) This chapter establishes requirements for managing the following:
- (1) Batteries as described in section 66273.2;
 - (2) Thermostats as described in section 66273.4;
 - (3) Lamps as described in section 66273.5 (including, but not limited to, M003 Wastes);
 - (4) Cathode ray tube materials as described in section 66273.6;
 - (5) Universal waste electronic devices as described in section 66273.3;
 - (6) Aerosol cans as specified in Health and Safety Code section 25201.16; and
 - (7) Mercury-containing motor vehicle switches [including, but not limited to, mercury-containing motor vehicle light switches as specified in Health and Safety Code section 25214.5 (M001 Wastes), and motor vehicles that contain such switches (M001 Wastes)], as described in section 66273.7.1;
 - (8) Non-automotive mercury switches and products that contain such switches (including, but not limited to, M002 Wastes), as described in section 66273.7.2;
 - (9) Dental amalgam wastes, as described in section 66273.7.3;
 - (10) Pressure or vacuum gauges, as described in section 66273.7.4;
 - (11) Mercury-added novelties (including, but not limited to, M004 Wastes), as described in section 66273.7.5;
 - (12) Mercury counterweights and dampers, as described in section 66273.7.6;
 - (13) Mercury thermometers, as described in section 66273.7.7;
 - (14) Dilators and weighted tubing, as described in section 66273.7.8;
 - (15) Mercury-containing rubber flooring, as described in section 66273.7.9; and
 - (16) Mercury gas flow regulators, as described in section 66273.10.
- (b) This chapter provides an alternative set of management standards in lieu of regulation as hazardous wastes under chapters 10 through 16, 18, and 20 through 22 of this division.

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25214.9, 25219.1 and 58012, Health and Safety Code; and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.1.

HISTORY

1. New chapter 23 (articles 1-7), article 1 (sections 66273.1-66273.9) and section filed 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.
2. New chapter 23 (articles 1-7), article 1 (sections 66273.1-66273.9) and section refiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.
3. New chapter 23 (articles 1-7), article 1 (sections 66273.1-66273.9) and section refiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.
4. New chapter 23 (articles 1-7), article 1 (sections 66273.1-66273.9) and section refiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.
5. New chapter 23 (articles 1-7), article 1 (sections 66273.1-66273.9) and section refiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.
6. Amendment of subsections (a)(2)-(3) and new subsection (a)(4) filed 8-3-2001 as an emergency; operative 8-3-2001 (Register 2001, No. 31). A Certificate of Compliance must be transmitted to OAL by 12-3-2001 or emergency language will be repealed by operation of law on the following day.
7. New chapter 23 (articles 1-7), article 1 (sections 66273.1-66273.9) and section refiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.
8. Amendment of subsections (a)(2)-(3) and new subsection (a)(4) refiled 11-30-2001 as an emergency; operative 11-30-2001 (Register 2001, No. 48). A Certificate of Compliance must be transmitted to OAL by 4-2-2002 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 11-2-2001 order transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).
10. Amendment refiled 3-26-2002 as an emergency; operative 4-12-2002 (Register 2002, No. 13). A Certificate of Compliance must be transmitted to OAL by 8-12-2002 or emergency language will be repealed by operation of law on the following day.
11. Amendment refiled 8-6-2002 as an emergency; operative 8-6-2002 (Register 2002, No. 32). A Certificate of Compliance must be transmitted to OAL by 12-4-2002 or emergency language will be repealed by operation of law on the following day.
12. Amendment refiled 11-25-2002 as an emergency; operative 12-5-2002 (Register 2002, No. 48). A Certificate of Compliance must be transmitted to OAL by 4-4-2003 or emergency language will be repealed by operation of law on the following day.

the following day.

13. Certificate of Compliance as to 11-25-2002 order, including amendment of subsections (a)(3) and (a)(4), new subsections (a)(5)-(a)(7) and amendment of Note, transmitted to OAL 12-24-2002 and filed 2-3-2003 (Register 2003, No. 6).

14. Amendment of section and Note filed 2-13-2003; operative 3-15-2003 (Register 2003, No. 7).

15. Amendment of subsection (a)(5) and Note filed 6—7—2004 as an emergency; operative 6—7—2004 (Register 2004, No. 24). Pursuant to Public Resources Code section 42475.2, a Certificate of Compliance must be transmitted to OAL by 6—7—2006 or emergency language will be repealed by operation of law on the following day.

§66273.2. Applicability--Batteries.

(a) Batteries covered under chapter 23. The requirements of this chapter apply to persons managing batteries, as described in section 66273.9, except those listed in subsection (b) of this section.

(b) Batteries not covered under this chapter. The requirements of this chapter do not apply to persons managing the following batteries:

(1) Automotive type spent lead-acid batteries. Auto motive-type spent lead acid storage batteries are managed under article 7 of chapter 16. Small sealed lead-acid storage batteries are not automotive type lead-acid batteries.

(2) Batteries, as described in section 66273.9, that are not yet wastes under chapter 11, including those that do not meet the criteria for waste generation in subsection (c).

(3) Batteries, as described in Section 66273.9, that do not exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11.

(c) Generation of waste batteries.

(1) A used battery becomes a waste on the date it is discarded (e.g., when sent for reclamation).

(2) An unused battery becomes a waste on the date the handler decides to discard it.

NOTE: Authority cited: Sections 25141, 25150, 25219.1 and 58012, Health and Safety Code. Reference: Sections 25141, 25150, 25159.5, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.2.

HISTORY

1. New section filed 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.

3. New section refiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.

4. New section refiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.

5. New section refiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.

6. New section refiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.

7. Certificate of Compliance as to 11-2-2001 order transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).

§66273.3. Applicability—Electronic Devices.

(a) Universal waste electronic devices covered under chapter 23.

(1) The requirements of this chapter apply to persons managing electronic devices, as described in section 66273.9, except those listed in subsection (b) of this section.

(2) Discarded electronic devices that are hazardous solely because the device exhibits the characteristic of toxicity specified in section 66261.24 may be managed as a universal waste.

(b) Electronic devices not covered under chapter 23.

The requirements of this chapter do not apply to persons managing the following consumer electronic devices:

(1) Electronic devices that are not yet wastes under chapter 11. Subsection (c) of this section describes when consumer electronic devices become wastes.

(2) Electronic devices that do not exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11 and that are not otherwise identified as hazardous waste under chapter 11.

(3) Electronic devices that exhibit any characteristic of a hazardous waste other than the characteristic of toxicity.

(4) Electronic devices that are destined for disposal or are disposed to a class I landfill, in which case the universal waste electronic device shall be managed as hazardous waste under chapters 10 through 22.

- (5) Electronic devices that are managed as hazardous waste under chapters 10 through 22 of this division;
- (6) Electronic devices that are exempted pursuant to subsection 66273.8(c);
- (7) Electronic devices that were previously identified as waste under chapter 11, but are no longer identified as a waste (e.g., a discarded universal waste electronic device that is refurbished and is returned to service).
- (c) Generation of waste consumer electronic devices.
 - (1) A used electronic device becomes a waste on the date it is discarded (e.g., when sent for reclamation).
 - (2) An unused electronic device becomes a waste on the date the owner decides to discard it.

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9 and 58012, Health and Safety Code; and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201 and 25214.9, Health and Safety Code.

HISTORY

1. New section filed 2—3—2003; operative 2—3—2003 (Register 2003, No. 6).
2. Amendment of section heading, section and Note filed 6—7—2004 as an emergency; operative 6—7—2004 (Register 2004, No. 24). Pursuant to Public Resources Code section 42475.2, a Certificate of Compliance must be transmitted to OAL by 6—7—2006 or emergency language will be repealed by operation of law on the following day.

§66273.4. Applicability--Mercury Thermostats.

- (a) Thermostats covered under chapter 23. The requirements of this chapter apply to persons managing thermostats, as described in section 66273.9, except those listed in subsection (b) of this section.
- (b) Thermostats not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following thermostats:
 - (1) Thermostats that are not yet wastes under chapter 11. Subsection (c) of this section describes when thermostats become wastes.
 - (2) Thermostats that do not exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11.
- (c) Generation of waste thermostats.
 - (1) A used thermostat becomes a waste on the date it is discarded (e.g., sent for reclamation).
 - (2) An unused thermostat becomes a waste on the date the handler decides to discard it.

NOTE: Authority cited: Sections 25141, 25150, 25150.6 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code; 40 CFR Section 273.4.

HISTORY

1. New section filed 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.
4. New section refiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.
5. New section refiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.
6. New section refiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 11-2-2001 order transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).
8. Amendment of subsection (a) and amendment of NOTE filed 2—3—2003; operative 2—3—2003 (Register 2003, No. 6).

§66273.5. Applicability--Lamps.

- (a) Lamps covered under this chapter. The requirements of this chapter apply to persons managing the following:
 - (1) lamps, as described in section 66273.9, that exhibit a characteristic of a hazardous waste, as set forth in article 3 of chapter 11;
 - (2) on or after February 9, 2004;
 - (A) mercury-added lamps, as described in section 66273.9, that meet listing description M003 in section 66261.50; and
 - (B) products that contain such lamps, except those listed in subsection (b) of this section.
- (b) Lamps not covered under this chapter. The requirements of this chapter do not apply to persons managing the following:

- (1) Lamps that are not yet wastes under chapter 11 as provided in subsection (c) of this section.
- (2) Lamps that do not exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11 and do not contain mercury (i.e., lamps that do not meet the listing description for M003 wastes in section 66261.50).
- (3) Lamps which are not destined for an authorized recycling facility; these lamps are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division
- (4) Vehicles that contain mercury-added lamps, unless such vehicles exhibit a characteristic of a hazardous waste, as set forth in article 3 of chapter 11.
- (5) Waste motor vehicles from which all mercury-added lamps have not been removed that are crushed, baled, sheared, or shredded; if they exhibit a characteristic of a hazardous waste in article 3 of chapter 11, these motor vehicles are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.
- (c) Generation of waste lamps.
 - (1) A used lamp becomes a waste on the date it is discarded.
 - (2) An unused lamp becomes a waste on the date the handler decides to discard it.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150, 25159.5 and 25179.4, Health and Safety Code; 40 CFR Section 273.5.

HISTORY

- 1. New section filed 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.
- 2. New section refiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.
- 3. New section refiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.
- 4. New section refiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.
- 5. New section refiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.
- 6. New section refiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.
- 7. Certificate of Compliance as to 11-2-2001 order, including new subsection (a)(3) and amendment of Note, transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).
- 8. Editorial correction of History 7 (Register 2002, No. 10).
- 9. Amendment filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.6. Applicability--CRT Materials.

- (a) CRT materials covered under chapter 23.
The requirements of this chapter apply to CRT materials, as described in section 66273.9, except those listed in subsection (b).
- (b) CRT materials not covered under chapter 23.
The requirements of this chapter do not apply to the following CRT materials:
 - (1) CRT materials that are not yet wastes under chapter 11 as provided in subsection (c) of this section;
 - (2) CRT materials that do not exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11;
 - (3) CRT materials that are destined for disposal or are disposed to a class I landfill, in which case the CRT materials shall be managed as hazardous waste under chapters 10 through 22;
 - (4) CRT materials that are managed as hazardous waste under chapters 10 through 22 of this division;
 - (5) CRT materials exempted pursuant to subsection 66273.8(c);
 - (6) CRT materials that were previously wastes under chapter 11, but are no longer wastes (e.g., a discarded CRT device that is refurbished and is returned to service).
- (c) Generation of CRT materials.
 - (1) A CRT device or CRT becomes a waste on the date when the earlier of the following occur:
 - (A) The owner discards it; or
 - (B) The CRT or the CRT in the CRT device is physically cracked, broken, or shattered.
 - (2) CRT glass released or derived from a CRT or a CRT device becomes a waste on the date that the CRT glass is released or derived from the CRT or the CRT device.

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9 and 58012, Health and Safety Code; and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25150.6, 25159.5, 25201 and 25214.9, Health and Safety Code.

HISTORY

1. New section filed 8-3-2001 as an emergency; operative 8-3-2001 (Register 2001, No. 31). A Certificate of Compliance must be transmitted to OAL by 12-3-2001 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 11-30-2001 as an emergency; operative 11-30-2001 (Register 2001, No. 48). A Certificate of Compliance must be transmitted to OAL by 4-2-2002 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 3-26-2002 as an emergency; operative 4-12-2002 (Register 2002, No. 13). A Certificate of Compliance must be transmitted to OAL by 8-12-2002 or emergency language will be repealed by operation of law on the following day.
4. New section refiled 8—6—2002 as an emergency; operative 8—6—202 (Register 2002, No. 32). A Certificate of Compliance must be transmitted to OAL by 12—4—2002 or emergency language will be repealed by operation of law on the following day.
5. New section refiled 11—25—2002 as an emergency; operative 12—5—2002 (Register 2002, No. 48). A Certificate of Compliance must be transmitted to OAL by 4—4—2003 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 11—25—2002 order, including amendment of subsections (a), (b) and (b)(5) and amendment of NOTE, transmitted to OAL 12—24—2002 and filed 2—3—2003 (Register 2003, No. 6).
7. Amendment of Note filed 6—7—2004 as an emergency; operative 6—7—2004 (Register 2004, No. 24). Pursuant to Public Resources Code section 42475.2, a Certificate of Compliance must be transmitted to OAL by 6—7—2006 or emergency language will be repealed by operation of law on the following day.

§66273.7. [Reserved.]

§66273.7.1. Applicability—Motor Vehicles That Contain Mercury Switches and Switches Removed from Motor Vehicles.

(a) Switches and vehicles covered under chapter 23. Except as provided in subsection (b), the requirements of this chapter apply to persons managing the following:

(1) Mercury-containing motor vehicle switches, as described in section 66273.9, that exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11.

(2) On or after January 1, 2005:

(A) mercury-containing motor vehicle light switches, as described in section 66273.9, that meet listing description M001 in section 66261.50;

(B) motor vehicles that contain such switches; and

(C) portions of motor vehicles that contain such switches.

(b) Switches and vehicles not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following:

(1) Mercury-containing motor vehicle switches that are not wastes under chapter 11. Subsection (c) of this section describes when motor vehicle switches become wastes.

(2) Motor vehicle switches that do not contain mercury.

(3) Motor vehicles and portions of motor vehicles from which all mercury-containing light switches have been removed.

(4) Waste mercury-containing motor vehicle switches that are not destined for an authorized recycling facility; these switches are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(5) Waste motor vehicles and portions of motor vehicles from which all mercury light switches have not been removed (other than switches that cannot be removed due to accidental damage to the vehicle), and that are crushed, baled, sheared, or shredded. (If they exhibit a characteristic of a hazardous waste in article 3 of chapter 11, these motor vehicles or portions of motor vehicles are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.)

(c) Generation of waste mercury-containing motor vehicle switches and waste motor vehicles with mercury light switches.

(1) A used mercury-containing motor vehicle switch becomes a universal waste on the date a handler removes it from a motor vehicle and decides to discard it.

(2) On or after January 1, 2005, a motor vehicle from which any mercury-containing light switches have not been removed becomes a universal waste on the date any person decides to crush, bale, shear, or shred it.

(3) An unused mercury-containing motor vehicle switch becomes a waste on the date the handler decides to discard it.

NOTE: Authority cited: Sections 25141, 25150, 25214.6 and 58012, Health and Safety Code. Reference: Sections 25141, 25150, 25159.5 and 25214.6, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.2. Applicability—Products That Contain Mercury Switches and Switches Removed from Products.

(a) Switches and products covered under chapter 23. Except as provided in subsection (b), the requirements of this chapter apply to persons managing the following:

(1) Non-automotive mercury switches, and products that contain such switches, as described in section 66273.9, that exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11.

(2) On or after February 9, 2006, non-automotive mercury switches, and products that contain such switches, as described in section 66273.9, that meet listing description M002 in section 66261.50.

(b) Switches and products not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following:

(1) Non-automotive mercury switches, and products that contain such switches that are not wastes under chapter 11. Subsection (c) of this section describes when non-automotive mercury switches, and products that contain such switches, become wastes.

(2) Non-automotive switches, and products that contain such switches that do not contain mercury.

(3) Until February 8, 2006, products that contain non-automotive mercury switches that do not exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11.

(4) Products from which all non-automotive mercury switches have been removed.

(5) Waste non-automotive mercury switches that are not destined for an authorized recycling facility; these switches are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(6) Waste appliances and portions of appliances from which all non-automotive mercury switches have not been removed and that are crushed, baled, sheared, or shredded. (If they exhibit a characteristic of a hazardous waste in article 3 of chapter 11, these appliances are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.)

(c) Generation of waste non-automotive mercury switches and waste products with mercury switches.

(1) A used non-automotive mercury switch becomes a universal waste on the date a handler discards it or removes it from a product in order to discard it.

(2) A product that contains one or more non-automotive mercury switches becomes a universal waste on the date the owner discards the product.

(3) An unused non-automotive mercury switch becomes a waste on the date the handler decides to discard it.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150, 25159.5 and 25212, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.3. Applicability—Dental Amalgam Wastes.

(a) Dental amalgam wastes covered under chapter 23. The requirements of this chapter apply to persons managing dental amalgam wastes, as described in section 66273.9, except those listed in subsection (b) of this section.

(b) Dental amalgam wastes not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following dental wastes:

(1) Dental amalgam that is not waste under chapter 11. Subsection (c) of this section describes when dental amalgam becomes waste.

(2) Empty used amalgam capsules.

(3) Waste dental restorative materials that do not contain mercury.

(4) Dental amalgam wastes that are not destined for an authorized recycling facility; these wastes are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(c) Generation of dental amalgam wastes.

(1) Teeth that contain dental amalgam restorations become universal wastes on the date they are discarded.

(2) Scrap dental amalgam, including excess mix, becomes universal waste on the date it is discarded.

(3) Amalgam particles contained in reusable chair side traps, reusable vacuum pump filters, and amalgam separators become universal wastes on the date they are removed from these traps, filters, and amalgam separators.

(4) Disposable chair side traps and vacuum pump filters that contain amalgam particles become universal wastes on the date they are discarded.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.4. Applicability—Mercury-Containing Pressure or Vacuum Gauges.

(a) Pressure or vacuum gauges covered under chapter 23. The requirements of this chapter apply to persons managing pressure or vacuum gauges, as described in section 66273.9, except those listed in subsection (b) of this section.

(b) Pressure or vacuum gauges not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following pressure or vacuum gauges:

(1) Pressure or vacuum gauges that are not wastes under chapter 11. Subsection (c) of this section describes when mercury-containing devices become waste.

(2) Waste pressure or vacuum gauges that do not contain mercury.

(3) Waste pressure or vacuum gauges that are not destined for an authorized recycling facility; these gauges are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(c) Generation of waste pressure or vacuum gauges.

(1) Used pressure or vacuum gauges become wastes on the date they are discarded.

(2) Unused pressure or vacuum gauges become wastes on the date the handler decides to discard them.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.5. Applicability—Mercury-Added Novelties.

(a) Mercury-added novelties covered under chapter 23. Except as provided in subsection (b), the requirements of this chapter apply to persons managing the following:

(1) Mercury-added novelties, as described in section 66273.9 that exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11.

(2) On or after January 1, 2004, mercury-added novelties, as described in section 66273.9 that that meet listing description M004 in section 66261.50.

(b) Novelties not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following novelties:

(1) Mercury-added novelties that are not wastes under chapter 11. Subsection (c) of this section describes when mercury-containing devices become waste.

(2) Waste novelties that do not contain mercury.

(3) Waste mercury-added novelties that contain liquid mercury and are not destined for an authorized recycling facility; these novelties are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(c) Generation of waste mercury-added novelties.

(1) Used mercury-added novelties become wastes on the date they are discarded.

(2) Unused mercury-added novelties become wastes on the date the handler decides to discard them.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.6. Applicability—Mercury Counterweights and Dampers.

(a) Mercury counterweights and dampers covered under chapter 23. The requirements of this chapter apply to persons managing mercury counterweights and dampers, as described in section 66273.9, and products containing mercury counterweights and dampers, except those listed in subsection (b) of this section.

(b) Counterweights and dampers not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following counterweights and dampers and products containing counterweights and dampers:

(1) Mercury counterweights and dampers, and products containing mercury counterweights and dampers that are not wastes under chapter 11. Subsection (c) of this section describes when mercury counterweights and dampers become wastes.

(2) Waste counterweights and dampers that do not contain mercury and products with counterweights and dampers that do not contain mercury.

(3) Waste products from which mercury counterweights and dampers have been removed.

(4) Waste mercury counterweights and dampers that are not destined for an authorized recycling facility; these counterweights and dampers are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(c) Generation of waste mercury counterweights and dampers, and waste products containing mercury counterweights and dampers.

(1) A used mercury counterweight or damper, or a used product containing one or more mercury counterweights or dampers becomes a waste on the date a handler discards it.

(2) An unused mercury counterweight or damper, or an unused product containing one or more mercury counterweights or dampers becomes a waste on the date the handler decides to discard it.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.7. Applicability—Mercury Thermometers.

(a) Thermometers covered under chapter 23. The requirements of this chapter apply to persons managing thermometers, as described in section 66273.9, except those listed in subsection (b) of this section.

(b) Thermometers not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following thermometers:

(1) Mercury thermometers that are not wastes under chapter 11. Subsection (c) of this section describes when mercury thermometers become waste.

(2) Waste thermometers that do not use the expansion and contraction of a column of mercury to measure temperature.

(3) Waste mercury thermometers that are not destined for an authorized recycling facility; these thermometers are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(c) Generation of waste thermometers.

(1) Used thermometers become wastes on the date they are discarded.

(2) Unused thermometers become wastes on the date the handler decides to discard them.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.8. Applicability—Mercury Dilators and Weighted Tubing.

(a) Dilators and weighted tubing covered under chapter 23. The requirements of this chapter apply to persons managing dilators and weighted tubing, as described in section 66273.9, except those listed in subsection (b) of this section.

(b) Dilators and weighted tubing not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following dilators and weighted tubing:

(1) Mercury-containing dilators and weighted tubing that are not wastes under chapter 11. Subsection (c) of this section describes when mercury dilators and weighted tubing become waste.

(2) Waste dilators and weighted tubing that do not contain mercury.

(3) Waste mercury-containing dilators and weighted tubing that are not destined for an authorized recycling facility; these dilators and weighted tubing are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(c) Generation of waste dilators and weighted tubing.

(1) Used dilators and weighted tubing become wastes on the date they are discarded.

(2) Unused dilators and weighted tubing become wastes on the date the handler decides to discard them.

NOTE: Authority cited: Sections 25151, 25150 and 58012, Health and Safety Code. Reference: Sections 25241, 25150 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.9. Applicability—Mercury-Containing Rubber Flooring.

(a) Mercury-containing rubber flooring covered under chapter 23. The requirements of this chapter apply to persons managing mercury-containing rubber flooring, as described in section 66273.9, except that listed in subsection (b) of this section.

(b) Rubber flooring not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following rubber flooring:

(1) Mercury-containing rubber flooring that is not waste under chapter 11. Subsection (c) of this section describes when mercury-containing rubber flooring becomes waste.

(2) Rubber flooring that does not contain mercury.

(c) Generation of waste mercury-containing rubber flooring.

(1) Used mercury-containing rubber flooring becomes a waste on the date it is discarded.

(2) Unused mercury-containing rubber flooring becomes a waste on the date the handler decides to discard it.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).

§66273.7.10. Applicability—Mercury-Containing Gas Flow Regulators.

(a) Mercury-containing gas flow regulators covered under chapter 23. The requirements of this chapter apply to persons managing mercury gas flow regulators, as described in section 66273.9, except those listed in subsection (b) of this section.

(b) Gas flow regulators not covered under chapter 23. The requirements of this chapter do not apply to persons managing the following gas flow regulators:

(1) Mercury-containing gas flow regulators that are not wastes under chapter 11. Subsection (c) of this section describes when mercury-containing gas flow regulators become waste.

(2) Waste gas flow regulators that do not contain mercury.

(3) Waste mercury-containing gas flow regulators that are not destined for an authorized recycling facility; these gas flow regulators are regulated as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

(c) Generation of waste mercury-containing gas flow regulators.

(1) A used mercury-containing gas flow regulator becomes a waste on the date it is discarded.

(2) An unused mercury-containing gas flow regulator becomes a waste on the date the handler decides to discard it.

NOTE: Authority cited: Sections 25141, 25150 and 58012, Health and Safety Code. Reference: Sections 25141, 25150 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 2—13—2003; Operative 3—15—2003 (Register 2003, No. 7).

§66273.8. Exemptions.

(a) Temporary disposal exemption for specific universal wastes.

(1) Through February 8, 2006, universal waste batteries, universal waste lamps and universal waste mercury thermostats, and universal waste electronic devices produced by a household, as defined in section 66273.9, incidental to owning or leasing and maintaining a place of residence, are not classified as hazardous waste and may be managed as non-hazardous solid waste, provided the wastes are disposed in a landfill permitted to accept municipal solid waste or hazardous waste.

(2) Through February 8, 2004, 100 kilograms (220 pounds) or less per month of universal waste batteries, universal waste thermostats, and universal waste lamps generated by conditionally exempt small quantity universal waste generators as defined in section 66273.9 may be managed as non-hazardous waste, provided the wastes are disposed in a landfill permitted to accept municipal solid waste or hazardous waste and the generator remains in compliance with subsections (a)(3)(B), (a)(3)(C), and (a)(3)(D) of this section. The quantity limit applies to the total amounts of universal waste batteries, universal waste thermostats, and universal waste lamps added together.

(3) From February 9, 2004 through February 8, 2006, universal waste batteries, universal waste lamps, and universal waste mercury thermostats produced by a conditionally exempt small quantity universal waste generator, as defined in section 66273.9, may be managed as non-hazardous solid waste, provided they are managed according to the following criteria:

(A) Universal wastes are disposed as non-hazardous waste in no more than the following quantities:

1. No more than 30 universal waste lamps in any calendar month; and
2. No more than 20 pounds of universal waste batteries in any calendar month; and
3. No universal waste thermostats.

(B) The generator's total generation of RCRA hazardous waste and universal waste does not exceed 100 kilograms (220 pounds) or, if the generator generates acutely hazardous waste, 1 kilogram (2.2 pounds) of acutely hazardous waste, in any calendar month;

(C) The waste is recycled by a destination facility or disposed in a landfill permitted to accept municipal solid waste or hazardous waste; and

(D) The generator remains in compliance with 40 CFR section 261.5.

(4) Through February 8, 2006, universal waste electronic devices generated by conditionally exempt small quantity universal waste generators as defined in section 66273.9 may be managed as non-hazardous solid waste, provided the wastes are disposed in a landfill permitted to accept municipal solid waste or hazardous waste and the generator remains in compliance with subsections (a)(3)(B), (a)(3)(C), and (a)(3)(D) of this section.

(5) Persons who commingle the household and conditionally exempt small quantity universal waste generator wastes described in subsections (a)(1), (a)(2), and (a)(3) of this section together with other universal waste regulated under this chapter shall manage the commingled waste under the requirements of this chapter.

(b) Household exemption.

A person maintaining a household is exempt from the requirements of this chapter for the management of that person's universal waste, provided:

(1) the waste is not disposed, except for those wastes exempted pursuant to subsection (a) of this section;

(2) the person does not disassemble or otherwise treat the waste, except under the provisions of section 66273.13; and

(3) the universal waste generated by the person is transported to another universal waste handler or to a destination facility.

(c) Conditionally Exempt Small Quantity Universal Waste Generator Exemption.

A conditionally exempt small quantity universal waste generator is exempt from the requirements of this chapter for the management of that person's universal waste, provided:

(1) the waste is not disposed, except for the following wastes:

(A) those wastes exempted pursuant to subsection (a) of this section;

(B) mercury-added novelties that do not contain liquid mercury, as described in section 66273.9; and

(C) mercury-containing rubber flooring, as described in section 66273.9.

(2) the person does not disassemble or otherwise treat the waste, except under the provisions of section 66273.13; and

(3) the universal waste generated by the person is transported to another universal waste handler or to a destination facility.

(d) Persons managing universal waste identified as household hazardous waste pursuant to 40 CFR section 261.4 and persons identified as conditionally exempt small quantity generators pursuant to 40 CFR section 261.5 may, at their option, manage their universal wastes under this chapter. If these persons decide to not manage their waste pursuant to this chapter, as provided in this section, these wastes must be managed pursuant to the standards for other hazardous wastes under this division and Chapter 6.5 of the Health and Safety Code.

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25219.1 and 58012, Health and Safety Code; and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Sections 261.4, 261.5 and 273.8.

HISTORY

1. New section filed 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.
4. New section refiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.
5. New section refiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.
6. Amendment of section heading and section filed 8-3-2001 as an emergency; operative 8-3-2001 (Register 2001, No. 31). A Certificate of Compliance must be transmitted to OAL by 12-3-2001 or emergency language will be repealed by operation of law on the following day.
7. New section refiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.
8. Amendment of section heading and section refiled 11-30-2001 as an emergency; operative 11-30-2001 (Register 2001, No. 48). A Certificate of Compliance must be transmitted to OAL by 4-2-2002 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 11-2-2001 order, including amendment of section and Note, transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).
10. Amendment of section heading and section refiled 3-26-2002 as an emergency; operative 4-12-2002 (Register 2002, No. 13). A Certificate of compliance must be transmitted to OAL by 8-12-2002 or emergency language will be repealed by operation of law on the following day.
11. Amendment of section heading and section refiled 8—6—2002 as an emergency; operative 8—6—2002 (Register 2002, No. 32). A Certificate of Compliance must be transmitted to OAL by 12—4—2002 or emergency language will be repealed by operation of law on the following day.
12. Amendment of section heading and section refiled 11—25—2002 as an emergency; operative 12—5—2002 (Register 2002, No. 48). A Certificate of Compliance must be transmitted to OAL by 4—4—2003 or emergency language will be repealed by operation of law on the following day.
13. Certificate of Compliance as to 11—25—2002 order, including further amendment of section heading and section, transmitted to OAL 12—24—2002 and filed 2—3—2003 (Register 2003, No. 6).
14. Amendment of subsection (c)(1) and new subsections (c)(1)(A)—(C) filed 2—13—2003; operative 3—15—2003 (Register 2003, No. 7).
15. Amendment of subsections (a)(1) and (1)(4) and Note filed 6—7—2004 as an emergency; operative 6—7—2004 (Register 2004, No. 24). Pursuant to Public Resources Code section 42475.2, a Certificate of Compliance must be transmitted to OAL by 6—7—2006 or emergency language will be repealed by operation of law on the following day.

§66273.9. Definitions.

"Battery" means a device consisting of one or more electrically connected electrochemical cells which is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

"Cathode ray tube" or "CRT" means a vacuum tube or picture tube used to convert an electrical signal into a visual image.

"Conditionally exempt small quantity universal waste generator" means a generator of universal waste who:

(a) generates no more than 100 kilograms (220 pounds) of RCRA hazardous wastes and no more than 1 kilogram (2.2 pounds) of acutely hazardous waste in any calendar month. When making the quantity determination of this section, the generator must, include all universal waste except CRT materials, and all RCRA hazardous waste; and

(b) generates a total of five or less CRT devices in a calendar year; and

(c) remains in compliance with 40 CFR section 261.5.

"CRT device" means any electronic device that contains one or more CRTs including, but not limited to, computer monitors, televisions, cash registers and oscilloscopes.

"CRT glass" means any glass released, derived or otherwise generated from the treatment or breakage of one or more CRTs.

"CRT material" means all or any of the following:

(a) a CRT, as defined in this section, that is or has become a waste pursuant to section 66273.6(c);

(b) a CRT device, as defined in this section, that is or has become a waste pursuant to section 66273.6(c);

(c) CRT glass, as defined in this section, that is or has become a waste pursuant to section 66273.6(c) and that is reclaimed at a CRT glass manufacturer or at a primary or secondary lead smelter.

"CRT material handler" means any person who generates, accumulates, stores, treats, or recycles any universal waste CRT material.

"CRT Material Transporter" means a person engaged in the off-site transportation of universal waste CRT materials by air, rail, highway, or water.

"Dental amalgam" or "universal waste dental amalgam" means dental amalgam chunks, dental amalgam fines, mixtures containing dental amalgam fines, single-use dental amalgam traps that contain dental amalgam, dental amalgam sludge, vacuum pump filters that contain dental amalgam, and extracted teeth with amalgam restorations.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in section 66273.13 and section 66273.33(a), (b), and (c) and section 66273.83. A facility at which a particular category of universal waste is only accumulated, is not a destination facility for purposes of managing that category of universal waste.

"Dilators and weighted tubing" or "universal waste dilators and weighted tubing" means mercury containing dilators and weighted tubing used in medical procedures. "Dilators and weighted tubing" include, but are not limited to, bougie tubes, Canter tubes, and Miller-Abbot tubes.

"Electronic Device" means any electronic device including, but not limited to, computers, computer peripherals, telephones, answering machines, radios, stereo equipment, tape players/recorders, phonographs, video cassette players/recorders, compact disc players/recorders, calculators, and some appliances. An electronic device does not include any CRT device as defined in this section, or any major appliance as defined in the Public Resources Code section 42166. The requirements of this chapter only apply to electronic devices as described in section 66273.3(a) (i.e., those wastes that exhibit the characteristic of toxicity).

"Flame sensor" means a device, usually found in a gas-fired appliance, that uses the expansion and contraction of liquid mercury contained in a probe to open and shut a valve.

"Gas flow regulator," "mercury gas flow regulator" or "universal waste gas flow regulator" means a mercury-containing device used to regulate the flow of gas through a gas meter.

"Generator" or "producer" means:

(a) any person, by site, whose act or process produces hazardous waste identified or listed in chapter 11 of this division or whose act first causes a hazardous waste to become subject to regulation.

(b) any person, by site, whose act or process produces universal waste as defined in this section or whose act first causes a universal waste to become subject to regulation.

"Household" means a private residence. For the purposes of this section, household does not mean a hotel, motel, bunkhouse, ranger station, crew quarters, campground, picnic ground, or day-use recreation facility.

"Lamp", also referred to as "universal waste lamp" is defined as the bulb or tube portion of an electric lighting device. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infra-red regions of the electromagnetic spectrum. Examples of common universal waste electric lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps.

"Large Quantity Handler of Universal Waste" means a universal waste handler (as defined in this section) who accumulates 5,000 kilograms or more total of universal waste (e.g., batteries, thermostats, lamps, etc. calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kilograms or more total of universal waste is accumulated.

"Management" means handling, storage, transportation, processing, treatment, recovery, recycling, transfer and disposal.

"Mercury-added novelty" means a mercury-added product intended mainly for personal or household enjoyment or adornment. A "mercury-added novelty" includes, but is not limited to, any item intended for use as a practical joke, figurine, adornment, toy, game, card, ornament, yard statue or figure, candle, jewelry, holiday decoration, and item of apparel, including footwear.

"Mercury gas flow regulator" or "universal waste gas flow regulator" means a mercury-containing device used to regulate the flow of gas through a gas meter.

"Mercury-containing motor vehicle light switch" means any motor vehicle switch found in the hood or trunk of a motor vehicle that contains mercury.

"Mercury-containing motor vehicle switch" means any motor vehicle switch that contains mercury including, but not limited to, a mercury containing motor vehicle light switch.

"Mercury-containing rubber flooring" or "universal waste rubber flooring" means any rubber flooring material formulated with intentionally added mercury.

"Mercury counterweights and dampers" or "universal waste mercury counterweights and dampers" means an enclosed device that uses liquid mercury for weight or dampening. Includes, but is not limited to, mercury bow

stabilizers used in archery, mercury recoil suppressors used in shooting, and mercury counterweights used in clocks.

"Mercury switch" or "universal waste mercury switch" means an electrical switch that employs mercury to make an electrical contact. "Mercury switch" includes, but is not limited to the following mercury-containing switches: mercury-containing motor vehicle switches, tilt switches, vibration-sensing switches, off-balance switches, float switches, silent light switches, and relays.

"Non-automotive mercury switch" means any mercury switch other than a mercury-containing motor vehicle switch.

"Offsite" means any site which is not onsite.

"On-site" means the same or geographically contiguous property which may be divided by public or private right-of-way, provided that the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along the right of way. Non-contiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access, are also considered on-site property.

"PRC" means California Public Resources Code.

"Pressure or vacuum gauge," "universal waste gauge," or "gauge," means any device in which pressure or vacuum is measured using the height of a column of liquid mercury. "Pressure or vacuum gauge" includes, but is not limited to, barometers, manometers, and sphygmomanometers.

"Small Quantity Handler of Universal Waste" means a universal waste handler (as defined in this section) who does not accumulate 5,000 kilograms or more total of universal waste (e.g., batteries, thermostats, lamps, etc. calculated collectively) at any time.

"Thermometer," "mercury thermometer" or "universal waste thermometer" means any thermometer that uses the expansion and contraction of a column of mercury to measure temperature.

"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element, and mercury-containing ampules that have been removed from these temperature control devices in compliance with the requirements of sections 66273.13(c)(2) or 66273.33(c)(2).

"Universal Waste" means any of the wastes that are listed in section 66261.9.

"Universal Waste Handler":

(a) Means:

- (1) A generator (as defined in section 66260.10 and this section) of universal waste; or
- (2) The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

(b) Does not mean:

- (1) A person who treats (except under the provisions of section 66273.13, section 66273.33, or section 66273.83(b) or (c)), disposes of, or recycles universal waste; or
- (2) A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.
- (3) A CRT material handler, as defined in this section.

"Universal Waste Transfer Facility" means any transportation-related facility including loading docks, parking areas, storage areas and other similar areas where shipments of universal waste are held during the normal course of transportation for ten days or less.

"Universal Waste Transporter" means a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.

NOTE: Authority cited: Sections 25141, 25150, 25214.6, 25150.6, 25201, 25214.9, 25219.1 and 58012, Health and Safety Code; and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Sections 261.4, 261.5, and 273.9.

HISTORY

1. New section filed 3-6-2000 as an emergency; operative 3-6-2000 (Register 2000, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2000 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 6-29-2000 as an emergency; operative 7-6-2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-3-2000 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 11-1-2000 as an emergency; operative 11-4-2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-5-2001 or emergency language will be repealed by operation of law on the following day.
4. New section refiled 3-6-2001 as an emergency; operative 3-6-2001 (Register 2001, No. 10). A Certificate of Compliance must be transmitted to OAL by 7-5-2001 or emergency language will be repealed by operation of law on the following day.
5. New section refiled 6-26-2001 as an emergency; operative 7-5-2001 (Register 2001, No. 26). A Certificate of Compliance must be transmitted to OAL by 11-2-2001 or emergency language will be repealed by operation of law on the following day.
6. Amendment filed 8-3-2001 as an emergency; operative 8-3-2001 (Register 2001, No. 31). A Certificate of Compliance must be transmitted to OAL by 12-3-2001 or emergency language will be repealed by operation of law on the following day.

the following day.

7. New section refiled 11-2-2001 as an emergency; operative 11-3-2001 (Register 2001, No. 44). A Certificate of Compliance must be transmitted to OAL by 3-4-2002 or emergency language will be repealed by operation of law on the following day.

8. Amendment refiled 11-30-2001 as an emergency; operative 11-30-2001 (Register 2001, No. 48). A Certificate of Compliance must be transmitted to OAL by 4-2-2002 or emergency language will be repealed by operation of law on the following day.

9. Certificate of Compliance as to 11-2-2001 order, including amendment of definition of "Conditionally exempt small quantity universal waste generator," transmitted to OAL 12-27-2001 and filed 2-8-2002 (Register 2002, No. 6).

10. Amendment refiled 3-26-2002 as an emergency; operative 4-12-2002 (Register 2002, No. 13). A Certificate of Compliance must be transmitted to OAL by 8-12-2002 or emergency language will be repealed by operation of law on the following day.

11. Amendment refiled 8—6—2002 as an emergency; operative 8—6—2002 (Register 2002, No. 32). A Certificate of Compliance must be transmitted to OAL by 12—4—2002 or emergency language will be repealed by operation of law on the following day.

12. Amendment refiled 11—25—2002 as an emergency; operative 12—5—2002 (Register 2002, No. 48). A Certificate of Compliance must be transmitted to OAL by 4—4—2003 or emergency language will be repealed by operation of law on the following day.

13. Certificate of Compliance as to 11—25—2002 order, including further amendment of section and NOTE, transmitted to OAL 12—24—2002 and filed 2—3—2003 (Register 2003, No. 6).

14. Amendment of section and NOTE filed 2—13—2003; operative 3—1—2003 (Register 2003, No. 7).

15. Amendment of section and Note filed 6—7—2004 as an emergency; operative 6—7—2004 (Register 2004, No.

24). Pursuant to Public Resources Code section 42475.2, a Certificate of Compliance must be transmitted to OAL by 6—7—2006 or emergency language will be repealed by operation of law on the following day.